

# ROBBINS UMEDA LLP

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## MEMO ENDORSED

November 18, 2011

**VIA E-MAIL**

sullivannysdchambers@nysd.uscourts.gov

Honorable Richard J. Sullivan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

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**Re: *Vancil v. Sugarman*, Case No. 1:10-cv-04312-RJS**

Dear Judge Sullivan:

Plaintiff Addie Vancil respectfully requests permission to submit her affidavit, the affidavit of her friend and financial advisor, M. Lee Arnold, and the declaration of her physician, Dr. Philip Conway, for the Court's consideration in connection with her pre-motion letter in support of the appointment of Mr. Arnold as her guardian *ad litem* in the above-referenced action. Plaintiff shared these documents with defense counsel in hopes of reaching agreement short of motion practice. Unfortunately, defendants have elected to selectively quote and paraphrase their contents and omit the portions that flatly contradict their baseless speculation. Plaintiff respectfully submits that these witnesses' actual statements should be evaluated in their original, complete form.

Sincerely,



Craig W. Smith

cc: All Counsel of Record

Plaintiff shall submit the above-referenced materials no later than December 1, 2011.

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11/23/11  
RICHARD J. SULLIVAN  
U.S.D.J.